

PATENT  
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12-04-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Robert Penn CAGLE, et al.

Serial No.: 09/874,249

Filed: June 6, 2001

For: **Method and Apparatus For HA Server**

Examiner: Unassigned

Group Art Unit: 2154

Commissioner for Patents  
Washington, D.C. 20231

Sir:

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**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicants do not believe that a fee is due for filing this paper.

A copy of the listed documents is attached. Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making an appropriate notation on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If it should be determined that the listed documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of these documents.

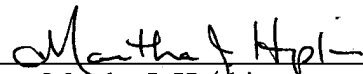
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Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

**Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

  
By: Martha J. Hopkins  
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Dated: **August 22, 2001**

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# INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

PTO Form 1449

Page 1 of 1

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## U.S. PATENT DOCUMENTS

*Examiner Initial	Document Number	Date	Name	Class	Sub Class	Filing Date

## FOREIGN PATENT DOCUMENTS

Document Number	Date	Country	Class	Sub Class	Translation YES NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	David Guest, "The foolproof computer", Computer Systems Europe December 1988.
	V. A. BOGATYREV, "Estimating the Reliability of Functionally Redundant Multicomputer Systems with Their Reconfiguration on the Basis of Function Reallocation", Engineering Simulation, 1995, Vol. 12, pp. 318-322.
	Se Hwa Park et al., "A Study on the Implementation of a Control System with Dual Structure and Its Reliability Analysis", Dept. of Electrical Eng., KAIST, 1990.
	Tetsuo SAKUMA et al., "OKITRON-II: Fault-Tolerant Telecom Computer, OKI Technical Review 156 Vol. 62, July 1996.
	V. A. BOGATYREV, "On The Dynamic Distribution of Intercomputer Communication Requests in Multicomputer Systems with Redundant Buses", Engineering Simulation, 11(2), 1993, pp. 234-240.
	J. C. CHENAVAS et al., "Architecture Des Systems De Conduite A Haute Disponihilite".
	Aguilera et al., "Heartbeat: A Timeout-Free Failure Detector for Quiescent Reliable Communication", 1977.
	Peter Ruber "How Much Server Fault", 1998.

Examiner

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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